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Security Council

Sixty-fifth year

Provisional

6384th meeting

Wednesday, 15 September 2010, 10.15 a.m.

New York

President:	Mr. Apakan	(Turkey)
Members:	Austria	Mr. Mayr-Harting
	Bosnia and Herzegovina	Mr. Barbalić
	Brazil	Mrs. Viotti
	China	Mr. Wang Min
	France	Mr. Araud
	Gabon	Mr. Moungara Moussotsi
	Japan	Mr. Nishida
	Lebanon	Mr. Salam
	Mexico	Mr. Puente
	Nigeria	Mr. Lolo
	Russian Federation	Mr. Churkin
	Uganda	Mr. Mugoya
	United Kingdom of Great Britain and Northern Ireland	Sir Mark Lyall Grant
	United States of America	Ms. Rice

Agenda

Non-proliferation

Briefing by the Chairman of the Security Council Committee established pursuant to resolution 1737 (2006)

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The meeting was called to order at 10.15 a.m.

Adoption of the agenda

The agenda was adopted.

Non-proliferation

Briefing by the Chairman of the Security Council Committee established pursuant to resolution 1737 (2006)

The President: The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

At this meeting, the Security Council will hear a briefing by Ambassador Tsuneo Nishida, Permanent Representative of Japan, in his capacity as Chairman of the Security Council Committee established pursuant to resolution 1737 (2006).

I now give the floor to Ambassador Nishida.

Mr. Nishida (Japan): This is the fifteenth 90-day report in accordance with paragraph 18 (h) of resolution 1737 (2006). The report covers the period from 29 June to 15 September 2010, during which time the Committee held no meetings but conducted its work using the silence procedure.

I will begin by noting the follow-up that has been or is being undertaken in response to resolution 1929 (2010) of 9 June, by which the Security Council adopted additional measures relating to the Islamic Republic of Iran. Members will recall that, via paragraphs 10, 11, 12 and 19 of the resolution, the Council designated 36 additional persons — all but one of whom had previously been subject to a travel notification requirement — as subject to the travel ban. Moreover, the Council designated one additional person and 40 additional entities as subject to the assets freeze.

Subsequently, to reflect these new designations, the Committee updated its consolidated list of individuals and entities and issued a note verbale to all Member States, as well as a press release, drawing attention to the updated list. I should like to recall here that the Committee also responded to a query from a Member State seeking confirmation that certain individuals and entities had not been designated by the Council or the Committee as subject to the aforementioned targeted measures.

In paragraph 27 of resolution 1929 (2010), the Council decided that the Committee shall intensify its efforts to promote the full implementation of resolutions 1737 (2006), 1747 (2007), 1803 (2008) and 1929 (2010), including through a work programme covering compliance, investigations, outreach, dialogue, assistance and cooperation, to be submitted to the Council within 45 days of the adoption of the resolution, that is, by 24 July. The Committee approved such a work programme and transmitted it to the Council on 23 July.

By paragraph 29 of resolution 1929 (2010), the Council established, for an initial period of one year and under the direction of the Committee, a Panel of Experts to carry out certain tasks, as specified in that same paragraph. The Committee expects the Panel to be appointed and operational in the near future and is committed to establishing a good working relationship with the Panel upon its constitution.

In paragraph 31 of resolution 1929 (2010), the Council called upon all States to report to the Committee within 60 days of the adoption of the resolution — that is, by 8 August — on the steps they had taken with a view to implementing effectively paragraphs 7 to 19 and 21 to 24 of the resolution. For its part, the Committee sent a note verbale to all Member States, drawing their attention to the stipulated date of submission, as well as encouraging those States that had not yet submitted reports pursuant to either or all of the three previous resolutions to submit them separately or in combined form. In this connection, I would like to report that, thus far, the Committee has received 36 reports under resolution 1929 (2010). The Committee regrets that many States have not responded in a timely fashion, as these reports provide important information that helps the Committee to assess the implementation of the imposed measures. The Committee reiterates its call on all Member States to submit such reports if they have not done so already. Unless a State requests that its report be kept confidential, the reports will be issued as official documents and posted on the Committee's website.

That concludes my summary of the follow-up triggered by the adoption of resolution 1929 (2010).

The Committee received three notifications from a Member State with reference to paragraph 5 of resolution 1737 (2006), concerning the delivery of items for use in the nuclear power plant in Bushehr, Iran. The Committee also addressed the matter of an intended delivery of items for use in that plant. In addition, the Committee received one notification from a Member State pursuant to paragraph 15 of resolution 1737 (2006), as well as additional specific information on a prior general notification that had been submitted previously by another Member State pursuant to the same paragraph in connection with the receipt and unfreezing of funds, respectively, in order to make payments due under contracts entered into prior to the listing of two entities.

The President: I thank Ambassador Nishida for his briefing. I shall now give the floor to those members of the Security Council who wish to make statements.

Ms. Rice (United States of America): I thank you, Mr. President, for convening this meeting to review the efforts of the Security Council Committee established pursuant to resolution 1737 (2006) over the past 90 days. I would also like to thank Ambassador Nishida for his first report as Chair of that critical Committee.

Three months have passed since the Council adopted resolution 1929 (2010) to respond to Iran's ongoing refusal to comply with its international obligations. I would like to make three points about the situation today and where we go from here.

First, I would like to draw the Council's attention to the clear evidence that Iran is refusing to take any step to begin resolving concerns that it is pursuing nuclear weapons and that it continues to take actions that in fact deepen those concerns. On 6 September, the Director General of the International Atomic Energy Agency (IAEA) reported to the Council that Iran is continuing and expanding its proliferation-sensitive nuclear activities in violation of its international obligations (see S/2010/465). Iran's enrichment of uranium, including to nearly 20 per cent, continues unabated. Additionally, the Director General provided significant and troubling examples where Iran is hampering the work of IAEA inspectors, refusing the IAEA's legitimate requests for information about and access to its nuclear facilities and continuing to reject legitimate inquiries about a possible military dimension to its nuclear programme. I emphasize that this report states that Iran is hampering the IAEA's ability to monitor Iran's programme. Iran is not cooperating fully with the IAEA.

The Security Council has clearly established in its resolutions on Iran that cooperation with the IAEA is a fundamental benchmark and test of Iran's peaceful intentions. The IAEA's report is the clearest evidence yet that Iran is refusing to address our proliferation concerns and appears determined to acquire a nuclear weapons capability.

Yet, Iran's disregard for its international obligations extends beyond its nuclear activities. Iran has repeatedly attempted to export arms in violation of resolution 1747 (2007). We are also concerned that Iran continues to engage in activities related to ballistic missiles capable of delivering nuclear weapons, including conducting launches using ballistic missile technology. These activities are prohibited under resolution 1929 (2010) and undermine Iran's claims of peaceful intentions at the very time that the international community has offered Iran opportunities to build trust and confidence. The Council and the 1737 Committee will need to consider an appropriate response to Iran's serial violations of Security Council resolutions.

My second point is that Iran's recent actions remind us of the urgent need to redouble our efforts to implement the United Nations sanctions, particularly those new measures adopted in resolution 1929 (2010). Already we have seen unprecedented efforts to respond to Iran's defiance with pressure in line with the dual-track approach. Member States should move quickly to carry out their obligations to implement the new sanctions and report on their national implementation efforts to the Committee.

The 1737 Committee continues to play a critical role in monitoring and improving the enforcement of Security Council resolutions on Iran. We strongly support that Committee, which is the principle mechanism to help States fulfil their obligations, to implement the measures and to respond when States fail to enforce United Nations sanctions. The Committee should move quickly to implement the action items in its ambitious work programme, especially to respond to Iran's well-documented patterns of sanctions evasion.

Finally, the Committee should support the Secretariat's efforts to establish a new panel of experts to help monitor and improve sanctions implementation. We are concerned by the delay in setting up the panel, and we urge renewed focus to enable that body to become operational as soon as possible. These steps can improve sanctions implementation and limit the risk posed by Iran's arms smuggling, its development of nuclear-weapon delivery systems and the proliferation of sensitive nuclear and ballistic missile-related items.

My final point is to underscore the continued commitment of the United States and the international community to a dialogue and a negotiated solution to the Iranian nuclear issue. We nevertheless plan to continue clarifying for Iran the consequences of its actions, both positive and negative. Our goal remains to prevent Iran from developing nuclear weapons. We are committed to working closely with our partners in the Security Council and the international community towards that goal.

Mr. Wang Min (China) (*spoke in Chinese*): First of all, I would like to congratulate Ambassador Nishida on his assumption of the chairmanship of the Security Council Committee established pursuant to resolution 1737 (2006). The Chinese delegation will continue to support and cooperate with the activities carried out by the Committee and its Chairman. China wishes to thank Ambassador Nishida for his briefing on the work of the Committee over the past 90 days. We have taken note of the fact that the Committee carried out very effective work during the most recent reporting period, for which we express our appreciation.

Since December 2006, the Security Council has adopted a number of resolutions on the Iranian nuclear issue, including resolutions 1737 (2006), 1747 (2007), 1803 (2008) and 1929 (2010). Those resolutions reflect the international community's common concern regarding the Iranian nuclear issue. The resolutions were adopted in the interest of maintaining the international nuclear non-proliferation regime, strengthening the authority and role of the International Atomic Energy Agency (IAEA) and promoting diplomatic efforts aimed at reaching peaceful solutions on the Iranian nuclear issue.

Countries have the obligation to implement those resolutions in a full and earnest manner. However, at the same time, it is necessary that they not implement their provisions arbitrarily. Implementation should in no way impede the construction and development of Iran, nor should it get in the way of normal trade between Iran and other countries and the normal life of the Iranian people. It should in no way impede the maintenance of normal relations between other countries and Iran.

China has always supported the international non-proliferation regime and we are opposed to Iran's possession or development of nuclear weapons. We support addressing this issue through a dual-track strategy. China attaches great importance to and has strictly implemented relevant resolutions of the Security Council. We have submitted timely reports on the implementation of the four relevant resolutions. However, at the same time we believe that sanctions are not an end in themselves. They cannot provide a fundamental solution to the problem at hand. Peaceful solutions through diplomatic efforts and dialogue remain the best choice.

At present, new opportunities have emerged for relaunching dialogue and negotiation over this issue. The E3+3 Governments and Iran have all expressed their desire to restart negotiations. China hopes that all the parties concerned will fully seize this opportunity to do so and, on the basis of equality and mutual respect, take a more flexible and pragmatic approach and further strengthen engagement and dialogue so as to intensify diplomatic efforts on all fronts to reach a peaceful settlement for this problem.

We have taken note of the latest report on this issue submitted by the Director General of the International Atomic Energy Agency (IAEA). We hope that the IAEA will continue to play a constructive role in finding an appropriate solution to the Iranian nuclear issue. We hope that Iran will fully cooperate with the IAEA and clarify and properly resolve all problems at an early date so as to build the international community's confidence in the peaceful nature of the Iranian nuclear issue.

China will continue to actively participate in the activities of the Committee and, together with others, we are ready to seize and make best use of all the positive elements for restarting negotiations and intensifying diplomatic efforts so as to build momentum for finding solutions through dialogue and engagement.

Sir Mark Lyall Grant (United Kingdom): I would like to thank Ambassador Nishida for his first briefing as Chair of the Security Council Committee established pursuant to resolution 1737 (2006), and welcome him to that position. We have full confidence that, under his leadership, the Committee will continue to fulfil its important mandate. The Committee's role will be of critical importance as we pursue the dual-track strategy to resolve the Iranian nuclear issue.

This briefing comes just days after the release of the latest report of the International Atomic Energy Agency (IAEA) on Iran. The report reinforces the strong messages contained in successive reports that Iran continues to defy multiple United Nations resolutions and is failing to cooperate fully with the Agency.

The report makes clear that Iran has not suspended its enrichment-related activities or work on its heavy water-related projects. It indicates that Iran has produced 2,803 kilograms of low-enriched uranium enriched to less than 5 per cent. The report also states that Iran has produced 22 kilograms of low-enriched uranium enriched to just under 20 per cent. This is a significant step towards the ability to enrich to weapons-grade levels, and Iran has no credible civilian application for this level of enriched uranium.

The report again makes clear that, in the case of two facilities, Iran did not notify the Agency in a timely manner of its decision to construct or authorize their construction, and that this is inconsistent with Iran's obligations under the subsidiary arrangements of its safeguards agreement.

Once again, the report states that Iran has not discussed possible military dimensions of its programme with the Agency since August 2008. The Agency therefore

> "remains concerned about the possible existence in Iran of past or current undisclosed nuclear related activities involving military related organizations, including activities related to the development of a nuclear payload for a missile" (*S/2010/465, annex, enclosure, para. 39*))

In summary, the report states that

> "while the Agency continues to verify the non-diversion of declared nuclear material in Iran, Iran has not provided the necessary cooperation to permit the Agency to confirm that all nuclear material in Iran is in peaceful activities" (*Ibid., para. 41*).

I would also like to highlight our concern over Iran's engagement in activities related to ballistic missiles that are capable of delivering nuclear weapons, including a launch reported in the Iranian media last month that used ballistic missile technology. Paragraph 9 of resolution 1929 (2010) prohibits such activities. The Security Council and the 1737 Committee will need to consider an appropriate response to Iran's actions.

We remain deeply concerned both about Iran's nuclear programme and about its serial violation of the resolutions of this Council, which is why we supported resolution 1929 (2010), which introduced further sanctions against Iran. The additional measures imposed by that resolution have now been in force for three months, so it is a good moment to take stock of the implementation of the additional measures imposed on Iran and the new obligations of all United Nations Member States.

While many States have acted promptly to adjust their laws and procedures, we would remind those States that have yet to report to the 1737 Committee on the measures taken to do so as soon as possible. If the dual-track strategy is to succeed, the effective and rigorous implementation by States of all these measures and those in the Council's previous resolutions will be a vital part of the dual-track policy. The 1737 Committee will have a key and growing role in ensuring this implementation, both by monitoring implementation and advising States where necessary.

We were therefore pleased to see a rigorous and specific work programme submitted to the Council on 23 July. We also look forward to the early appointment of a professional and dedicated Panel of Experts. The Panel will be essential to the effective delivery of that work programme. The Panel will also provide an additional level of scrutiny directly to the Council on the implementation of measures, making recommendations where necessary. I would urge the Committee and the Secretariat to make every effort to operationalize the Panel as soon as possible.

We remain ready to resume the talks on Iran's nuclear programme we started in Geneva on 1 October 2009. We believe that such talks can lead to a solution if they are purposeful, discuss both sides' concerns and make swift progress. In again extending our hand, we

show our determination to resolve these matters through dialogue and diplomacy.

Mr. Churkin (Russian Federation) (*spoke in Russian*): We welcome the new Chair of the Security Council Committee established pursuant to resolution 1737 (2006), Japanese Ambassador Tsuneo Nishida. We assure him that, in his activities in that post, he can rely on the support and cooperation of the Russian delegation.

We thank the Chair for the briefing on the work of the 1737 Committee over the past 90 days. During this reporting period, the Committee continued to operate in strict compliance with its mandate. We anticipate that the recently adopted work programme of the Committee will be help that entity to effectively carry out the challenges facing it. We anticipate also that the Panel of Experts referred to in resolution 1929 (2010) will be of considerable assistance to the Committee once it is constituted.

On the current situation with respect to the Iranian nuclear programme, our position remains unchanged.

We have consistently advocated addressing the issues relating to this programme through dialogue and interaction with the Iranian side. The pillar of the Russian position has always been and continues to be reliance on negotiations and a diplomatic search for solutions as well as involving Tehran in joint endeavours, while ensuring full compliance with the actions of the IAEA. We call for Iran's cooperation in taking the steps necessary to ensure a broad dialogue with the six countries, aimed at a negotiated settlement on the issues relating to the Iranian nuclear programme.

Mr. Araud (France) (*spoke in French*): At the outset I would like to thank Ambassador Nishida for his first 90-day report as Chair of the Security Council Committee established pursuant to resolution 1737 (2006). I take this opportunity to hail his predecessor, Ambassador Takasu, for his outstanding work as Chair of the Committee.

The general context is known to all of us and is a source of serious concerns for my country. These concerns are confirmed by the most recent report of the Director General of the International Atomic Energy Agency (IAEA), dated 6 September (S/2010/465, annex, enclosure). Please allow me, as my British colleague has done, to recall some elements of the report.

First, the report stresses that Iran continues to refuse to respect its international commitments and to meet the requirements of the Security Council and of the IAEA Board of Governors. In addition, Iran continues its activities to enrich uranium to 3.5 per cent and 20 per cent and its heavy water related projects, in violation of repeated demands by the international community and in the absence of any credible civilian purpose. Today I wish to reiterate that Iran's nuclear programme has no credible civilian application.

Iran's cooperation with the Agency is insufficient and is worsening, as the Director General recently stressed at the opening of the IAEA Board of Governors meeting. Inter alia, Iran has objected to the appointment of two IAEA inspectors in June and it continues not to cooperate in resolving pending issues, including those linked to the military dimension of the Iranian programme.

I also note that Iran has announced its intention to begin construction of a third uranium enrichment facility during the first half of 2011, without providing the information requested by the Agency and counter to its Safeguards Agreement; and it has done so after the revelation of a clandestine enrichment facility in Qom.

France is also extremely concerned by Iran's activities beyond the nuclear issue, in particular arms exports and its ballistic missiles programme. Iran continues activities related to ballistic missiles that could deliver a nuclear weapon, including launches making use of ballistic missile technology. Such activities are contrary to resolution 1929 (2010), in particular its paragraph 9.

Our response must be decisive. The Council and the 1737 Committee must focus on these violations of Security Council resolutions and provide an appropriate response. Here, we hope that the panel of experts which will be established will be able to investigate these violations in accordance with the provisions of the resolution.

Our aim, of course, is dialogue. But it must be acknowledged that Iran has refused to respond to our offers of dialogue and cooperation since 2006. The ball is in Iran's court: Iran must regain the trust of the international community.

The measures adopted by the Security Council are clearly not an end in themselves. Their goal is to convince Iran to negotiate in line with the dual-track approach that the six countries have consistently advocated. To be fully effective and attain their objectives, these measures must be scrupulously implemented by all and their application must be strictly monitored. That is the responsibility of all parties and of the 1737 Committee.

For its part, the European Union, by adopting measures on 26 July to rigorously implement resolution 1929 (2010), is fully playing its role; other countries have decided to follow that example.

As Ambassador Nishida did in his briefing, my country encourages all delegations that have not yet done so to submit their national reports to the 1737 Committee on the implementation of resolution 1929 (2010).

It is also essential for the effectiveness of the Council's work and for its credibility that the international community ensure full respect for the measures adopted by the Security Council. The 1737 Committee plays an essential role in that respect. The Committee's activities reveal the scope and diversity of Iran's practices to evade the sanctions and thus confirm that we must maintain great vigilance. It is important for the 1737 Committee to know that Member States are properly implementing these measures. It must continue to investigate alleged cases of violations submitted to it and continue its assistance and outreach activities.

My country welcomes the fact that at the end of July the 1737 Committee was able to adopt a complete work programme for the coming year. We encourage all States to cooperate with the 1737 Committee and with the future panel of experts established by resolution 1929 (2010), which should enhance the effectiveness of the Committee's actions. In that context, my country fully endorses the desire expressed by the Permanent Representative of Japan that the panel of experts be rapidly constituted.

The President: There are no further speakers inscribed on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

Before adjourning, I would like to inform members that in order to allow sufficient time for the translation of the draft resolution on the United Nations Mission in Nepal to be completed, I propose to invite members to consultations on the Sudan now and to return to the Council Chamber thereafter.

The meeting rose at 10.45 a.m.